

Superseded 5/10/2016

31A-35-607 Filing of forms -- Commissioner maintains files.

- (1)
- (a) In accordance with Section 31A-21-201, only a bail bond surety company that meets the financial capacity requirements through the use of a letter of credit, personal property, or real property, or a surety insurer shall file with the commissioner a copy of each form the bail bond surety company or surety insurer uses in the bail bond surety business.
 - (b) A surety insurer filing shall comply with the following:
 - (i) a form shall be identified by a unique form number;
 - (ii) the surety insurer shall file a form on behalf of each bail bond surety company appointed to write on behalf of the surety insurer;
 - (iii) once a filing is filed with the commissioner, it is the responsibility of the surety insurer to verify that the bail bond surety company and its producers are using the correct form;
 - (iv) a bail bond surety company and its producers are prohibited from using a form that has not been filed by the surety insurer; and
 - (v) a bail bond surety company and its producers are prohibited from making changes to a form that is filed by the surety insurer.
 - (c) A bail bond surety company filing, for a bail bond surety company that meets the financial capacity requirements through the use of a letter of credit, personal property, or real estate, shall comply with the following:
 - (i) a form shall be identified by a unique form number;
 - (ii) once a filing is filed with the commissioner, it is the responsibility of the bail bond surety company to verify that its producers are using the correct form;
 - (iii) a bail bond producer is prohibited from using a form that has not been filed by the bail bond surety company; and
 - (iv) a bail bond producer is prohibited from making changes to a form that is filed by the bail bond surety company.
- (2) A form described in Subsection (1) shall be filed 30 days before the form:
- (a) is first used by the bail bond surety company or surety insurer; and
 - (b) is changed after it is filed under Subsection (2)(a).
- (3)
- (a) The commissioner shall maintain and make available for public inspection a file regarding each bail bond surety company and each surety insurer.
 - (b) A bail bond surety company and surety insurer shall maintain a form required to be filed under this section in the office of the bail bond surety company or surety insurer.